

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
7:18-CV-74-D

ANDREW U.D. STRAW,

Plaintiff,

v.

STATE OF NORTH CAROLINA,

Defendant.

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ORDER

This case comes before the court on four motions by plaintiff, who is proceeding pro se, that were referred to the undersigned for determination. *See* 2nd Docket Entry dated 8 July 2019. All the motions will be denied.

Plaintiff's motion (D.E. 1-7) for service of process by the U.S. Marshal is DENIED AS MOOT. In its 8 July 2019 order (D.E. 16) allowing plaintiff's motion (D.E. 1) to proceed *in forma pauperis* ("IFP") and finding this case not to be subject to dismissal under 28 U.S.C. § 1915(e)(2)(B) the court directed the U.S. Marshals Service to serve process on defendant.

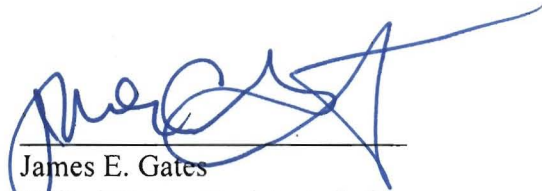
Plaintiff's motion (D.E. 6) to request orders on pending motions is DENIED AS MOOT. The motion sought rulings on: (1) plaintiff's IFP motion, which the court allowed in its 8 July 2019 order; (2) plaintiff's motion for service by the U.S. Marshal, which the court is denying herein; and (3) plaintiff's motion (D.E. 4) for CM/ECF filing status, which the court denied by order (D.E. 9) entered on 6 March 2019.

Plaintiff's motion (D.E. 11) to notify the court of defendant's failure to waive service of process is DENIED AS MOOT. At the time plaintiff purportedly sent defendant the waiver form,

his motion to proceed IFP was still pending and defendant was therefore not subject to service of process, which the court has now provided for in its 8 July 2019 order.

Plaintiff's motion (D.E. 14) to take notice of case law referenced in the motion is DENIED AS MOOT. Irrespective of this motion, the court considered the referenced case law in preparing its 8 July 2019 order.

SO ORDERED, this 15th day of July 2019.



James E. Gates
United States Magistrate Judge